

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

QIANA QUINN,

Plaintiff,

Case No. 15-10653

Honorable Victoria A. Roberts

v.

HENRY FORD HEALTH SYSTEM,

Defendant.

**ORDER REGARDING MOTIONS *IN LIMINE* [Docs. 57-63] and REQUIRING
COUNSEL TO MEET AND CONFER IN PERSON REGARDING THE JFPTO**

On January 17, 2017, the Court held a hearing on the parties' motions *in limine*, at which Marla Linderman appeared for Plaintiff Qiana Quinn and Terrence Miglio and Barbara Buchanan appeared for Defendant Henry Ford Health System ("HFHS"). Ms. Buchanan has not filed a notice of appearance in this case; she must do so by **January 25, 2017**.

For the reasons stated on the record, the Court:

1. **GRANTS** HFHS's motions to exclude evidence: (1) of Quinn's EEOC charges and EEOC determination letter [**Doc. 57**]; (2) of dismissed claims [**Doc. 58**]; and (3) regarding Alecia Harris's prior lawsuit [**Doc. 59**];
2. **RESERVES RULING** on whether Harris can testify as a rebuttal witness;
3. **DENIES** HFHS's motions to exclude evidence of: (1) Quinn's inflammatory claim that she considered getting an abortion [**Doc. 61**]; and (2) secretly recorded telephone calls [**Doc. 60**]. Whether the recorded phone call with Wilma Ruffin is a complete and accurate recording is for the jury to decide;
4. **DENIES** Quinn's motion to exclude evidence of her July 2013 medical note [**R. 62**]; and

5. **GRANTS IN PART** and **DENIES IN PART** Quinn's motion regarding Plaintiff's husband, Officer Mitchell Quinn **[R. 63]**. The Court bars evidence regarding the alleged assault in 2008 and lawsuit in 2000. If Quinn introduces evidence that she continued to suffer emotional distress after April 27, 2015, as a result of not receiving the CSC II position, the fact that Officer Quinn fatally shot a suspect on April 27, 2015, is admissible for the limited purpose of showing the effect the ensuing media scrutiny had on Quinn's emotional state. The Court **RESERVES RULING** on whether, and to what extent, HFHS can introduce evidence and/or news articles regarding the media scrutiny Quinn and her family faced as a result of the shooting. Evidence related to the underlying facts of the shooting is inadmissible.

After the hearing, the Court conducted a final pretrial conference. Counsel for the parties were unprepared for this conference, and their joint final pretrial order ("JFPTO") did not comply with this Court's order and was far from complete. Their neglect and failure to work in good faith with one another is unacceptable.

Due to their inexcusable failure to comply with the Court's order regarding JFPTO and final pretrial conference, Ms. Linderman and Mr. Miglio must meet and confer **in person** regarding the JFPTO before **January 27, 2017**; they must finish the incomplete portions of the JFPTO and attempt in good faith to resolve the disputes related to jury instructions, *voir dire*, trial exhibits, and other objected-to issues.

By **5:00pm on January 27, 2017**, counsel must file a joint statement with the Court: (1) describing when, where, and for how long they met; and (2) setting forth any unresolved issues related to the JFPTO and the reason those issues are unresolved.

After January 27, 2017, counsel must continue to work together on the JFPTO, and the Court expects that the list of unresolved issues in their January 27 joint statement will be narrowed. The parties must submit via email a revised JFPTO that strictly complies with the Court's orders by **February 1, 2017**, and must deliver two

courtesy copies of the revised JFPTO to the Court by 5:00pm that day. Failure to comply with this and/or previous orders regarding the JFPTO will result in sanctions.

IT IS ORDERED.

S/Victoria A. Roberts
Victoria A. Roberts
United States District Judge

Dated: January 18, 2017

The undersigned certifies that a copy of this document was served on the attorneys of record by electronic means or U.S. Mail on January 18, 2017.

s/Linda Vertriest
Deputy Clerk